The action taken by the Municipal Council at the Regular Meeting held on October 23, 2013 at 6:00 p.m. is listed below. The minutes, as recorded in the minute book, are available for perusal and approval. Unless council advises the City Clerk to the contrary, these minutes will be considered approved by the Municipal Council.

Robert Byrne, City Clerk

CITY OF JERSEY CITY

280 Grove Street Jersey City, New Jersey 07302

Robert Byrne, R.M.C., City Clerk Sean J. Gallagher, R.M.C., Deputy City Clerk Tolonda Griffin-Ross, Deputy City Clerk



Rolando R. Lavarro, Jr., Council President
Daniel Rivera, Councilperson-at-Large
Joyce E. Watterman, Councilperson-at-Large
Frank Gajewski, Councilperson, Ward A
Khemraj "Chico" Ramchal, Councilperson, Ward B
Richard Boggiano, Councilperson, Ward C
Michael Yun, Councilperson, Ward D
Candice Osborne, Councilperson, Ward E
Diane Coleman, Councilperson, Ward F

Minutes of the Regular Meeting of the Municipal Council Wednesday, October 23, 2013 at 6:00 p.m.

Please Note: The next caucus meeting of Council is scheduled for TUESDAY, November 12, 2013 at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

A next regular meeting of Council is scheduled for Wednesday, November 13, 2013 at **6:00 p.m.** in the Anna Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

REGULAR MEETING STARTED: 6:18 p.m.

- 1. (a) INVOCATION:
 - (b) ROLL CALL: At 6:18 p.m. all nine (9) members were present.
 - (c) SALUTE TO THE FLAG:
 - (d) STATEMENT IN COMPLIANCE WITH SUNSHINE LAW:

City Clerk Robert Byrne stated on behalf of Rolando R. Lavarro, Jr., Council President. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Jersey City Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Thursday, December 20, 2012, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2013.

The Agenda of this meeting was disseminated on **Friday, October 18, 2013 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey Journal and The Jersey City Reporter.

2. Reception Bid: None

**CONSENT AGENDA

All items listed on the meeting calendar with an asterisk (or asterisks) are considered routine by the municipal council and will be enacted by one motion (and roll call) without separate discussion of each item. If discussion is desired on any item and permitted by the council, that item will be considered separately.

Consent Agenda adopted by Ordinance J-636 and supplemented by Ordinance C-248.

Please understand that all documents listed in the consent agenda are available for public perusal at this meeting.

*3. **ORDINANCE HEARING** FIRST READING CITY CLERK FILE Introduce-9-0-An ordinance of the City of Jersey City, in the County of Hudson, New a. Ord. 13.118 Jersey, providing for a special emergency appropriation of \$9,500,000 for the payment of contractually required severance liabilities resulting from the retirement of City Employees. Introduce-9-0-A Franchise Ordinance granting permission to 110 First Street Urban b. Ord. 13.119 Renewal Associates, LLC, its successors and assigns, to improve and use that approximately ten (10) foot portion of the public right-of-way between the sixty (60) foot right-of-way adjacent to Second Street and Lot 42, Block 11603, on the official tax assessment map of the City of Jersey City for the installation of underground backflow preventers, house traps 7/5' x 5' vaults for its sanitary and storm sewer systems, which encroach ten (10) feet onto the public right-of-way along Second Street. Introduce-9-0-An ordinance to provide for the designation of public property within Ord. 13.120 c. specified areas of the City of Jersey City as a temporary "Clean Zone" during the time period beginning at six o'clock (6:00) a.m. on Monday, January 27, 2014 and ending at six o'clock (6:00) p.m. on Tuesday. February 4, 2014, relative to the use of these areas in conjunction with the 2014 National Football League's Super Bowl XLVIII related activities and events; to provide for the temporary suspension of certain

Introduce-9-0-	d.	An ordinance authorizing the transfer of properties owned by the Jersey City Redevelopment Agency within the Morris Canal Redevelopment Plan Area to the City of Jersey City for the creation of Berry Lane Park.	Ord. 13.121
Withdrawn	e.	Ordinance approving the execution of a financial agreement with Journal Square I Urban Renewal LLC and other applicable documents related to the authorization and issuance by the Jersey City Redevelopment Agency of not to exceed \$10,000,000 redevelopment area bonds (Non-Recourse to the full faith and credit of the City) and determining various other matters in connection therewith.	Ord. 13.122
Withdrawn	f.	Ordinance approving the execution of a financial agreement with Journal Square II Urban Renewal LLC and other applicable documents related to	Ord. 13.123

matters in connection therewith.

permits and business and/or commercial activity in the Clean Zone Area.

the authorization and issuance by the Jersey City Redevelopment Agency of not to exceed \$10,000,000 redevelopment area bonds (Non-Recourse to the full faith and credit of the City) and determining various other

*3. ORDINANCE HEARING

FIRST READING

CITY CLERK FILE

Ord. 13.124

Withdrawn

g. Ordinance approving the execution of a financial agreement with Journal Square III Urban Renewal LLC and other applicable documents related to the authorization and issuance by the Jersey City Redevelopment Agency of not to exceed \$10,000,000 redevelopment area bonds (Non-Recourse to the full faith and credit of the City) and determining various other matters in connection therewith.

Public Hearing on the McGinley Square Special Improvement District Budget and Assessment Roll

NONE

A motion was made by Council President Lavarro and seconded by Councilperson Osborne to close the public hearing on the McGinley Square Special Improvement District Budget and Assessment Roll. Approved-9-0-.

*4. ORDINANCE HEARING

SECOND READING

CITY CLERK FILE

Adopted-9-0a. Ordinance amending Chapter 1 (General Provisions) Article III Ord. 13.113 (Enforcement; Penalties) of the Jersey City Municipal Code. Intro. 10.09.13 Adopted-9-0b. An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Ord. 13.114 Jersey City Code Article VIII (Permit Parking) amending 332-57 Intro. 10.09.13 on-street permit parking zones repealing Warren Street from Montgomery Street to Morgan Street from the on-street parking zones and amending Section 332-58 of the Jersey City Traffic Code extending Zone 4 residential permit parking to include Warren Street from Montgomery Street to Morgan Street. Adopted-9-0-Ordinance implementing Chapter 5 requiring permits for filming and the Ord. 13.116 taking of photographs for profit in the City of Jersey City and amending Intro. 10.09.13 Chapter 160 (Fees & Charges) of the Jersey City Municipal Code. Adopted-9-0d. Ordinance of the Municipal Council of the City of Jersey City adopting Ord. 13.117 amendments to the Powerhouse Arts District Redevelopment Plan to Intro. 10.09.13 assist in the rehabilitation of the landmark Butler Brothers Warehouse.

** 5. PUBLIC REQUEST FOR HEARING

Spoke 1. William Dorrity, 3060 Kennedy Boulevard, Jersey City

Did not speak 2. Monya Reydiboym

Spoke 3. Marcia Adams, Jersey City

Spoke 4. Dwayne Baskerville

Spoke 5. June Jones

Spoke 6. Pat O'Melia

Did not speak 7. Minnie Torres

Did not speak 8. Jayson Burg

Spoke 9. Lidya Radin

Spoke 10. Michael Grant

Did not speak 11. George Koenig

Did not speak 12. Steven Hyman

Spoke 13. Lorenzo Richardson

Spoke 14. Felicia Palmer

Spoke 15. Gina Verdibello

Spoke 16. Riaz Wahid

Spoke 17. Lance Williams, Jersey City

Did not speak 18. Philip Carrington

Did not speak 19. Kabili Tayari

Spoke 20 Pauline Roman

**6. PETITIONS AND COMMUNICATIONS

- a. Letter dated October 8, 2013 from Sergio H. Rojas, Senior Project Manager, Brinkerhoff Environmental Services to Robert Byrne, City Clerk re: Liberty Harbor North.
- b. Letter dated October 3, 2013 from Demetrio Arenciba, PE, PP County Engineer, Hudson County to Stanley Huang, City Engineer re: Bridge Re-evaluation Survey Report.
- c. Letter dated October 8, 2013 from Dennis Nagg, AMEC to Thomas Cozzi, Assistant Director NJDEP re: Study Area 6 North, Non-Chromium Remedy Update, Jersey City.
- d. Letter dated October 7, 2013 from Mario Iannelli, P.E., Manager, Dewberry to Robert Byrne, City Clerk re: Treatment Works Approved Application Checklist, 25 Senate Place, Jersey City.
- e. Letter dated October 10, 2013 from Paul E. Pallardy, Jr., ETS Environmental & Associates, LLC to Robert Byrne, City Clerk re: Commercial Building, 512 Patterson Plank Road, Jersey City.
- f. Letter dated October 2, 2013 from Wayne C. Howitz, Assistant Director, Remediation Oversight Element to Roger W. Thomas, Executive VP & GC, Mack-Cali Realty Corp., re: Harborside Financial Center, 8 Christopher Col. Drive, Jersey City.
- g. Minutes of the meeting of Employee's Retirement System of Jersey City held September 18, 2013.
- h. Agenda of the meeting of Employee's Retirement System of Jersey City held October 16, 2013.
- i. Letter dated October 10, 2013 from John Anton, Senior Geologist, Peak Environmental, Inc., to Bureau of Case Assignment & Initial Notice re: Public Notification & Public Outreach, Century Bay Realty, LLC, 115 Amity Street.
- j. Letter dated October 7, 2013 from Sherri Sanford, Whiting, Indiana to Joseph Connors, Acting Police Director, re: Complaint # 262468.
- k. Letter dated October 10, 2013 from Phil Barnes, LSRP, Manager, Environ to Robert Byrne, City Clerk re: CEA/Well Restriction Area (WRA) Bright Horizons Children's Center, LLC Plaza 3, Harborside Financial Center, 8 Columbus Drive, Jersey City.

**6. PETITIONS AND COMMUNICATIONS

- 1. Letter dated October 7, 2013 from George King, Chief, Unregulated Heating Oil Tank Program, Department of Environmental Protection to Rosa Esposito, Jersey City re: One 550 gallon #2 heating oil underground storage tank system, 39 Leonard Street, Jersey City.
- m. Letter dated October 10, 2013 from Haiyesh Shah, Department of Environmental Protection to Botond Farkas, E. Rutherford, NJ re: Comments- June 28, 2013 -Groundwater Surface Water Investigation Report, Prologis Ports Jersey City Distribution Center Site, 400 Sip Avenue, Jersey City.
- n. Letter dated October 10, 2013 from Phil Barnes, LSRP, Manager, Environ to Robert Byrne, City Clerk re: Receptor Evaluation Report & Remedial Investigation Report/Remedial Action Workplan/Remedial Action Report, Bright Horizons Children's Center, LLC Plaza 3, Harborside Financial Center, 8 Columbus Drive, Jersey City.
- o. Letter dated September 26, 2013 from Michael J. Caccavelli, Zipp & Tannenbaum, LLC Attorneys at Law to Maureen Cosgrove, Tax Collector re: Clyne, Thomas & Calindo, Marg v. Jersey City.
- p. State of New Jersey, Department of the Treasury, Division of Taxation 2013.
- q. Minutes of the Board of Commissioners meeting Jersey City Municipal Utilities Authority held September 26, 2013.
- r. Letter dated October 16, 2013 from Ed Phillips, Potomac-Hudson Environmental, Inc. to Robert Byrne, City Clerk re: 25 Colony Road, Jersey City.
- s. Letter dated October 15, 2013 from Alberto G. Santos, Clerk Board of Chosen Freeholders to Robert Byrne, City Clerk re: Resolutions adopted by the Board of Chosen Freeholders of Hudson County held October 15, 2013.
 - 1. Resolution authorizing the use of a portion of Lincoln Park in Jersey City adjacent to the Little League Field for the celebration of Eid AlFitr on Tuesday, October 15, 2013 or Wednesday, October 16, 2013 depending on the New Moon sighting between the hours of 6:00 a.m. to 12:00 p.m. (Noon).

**6. PETITIONS AND COMMUNICATIONS

- t. Letter dated October 16, 2013 from William P. Call, PG, Vice President, PEC Environmental Consulting to Robert Byrne, City Clerk re: Consulting CEA/Well Restriction Area (WRA) Fact Sheet/former Allwaste Tank Cleaning Services.
- Letter dated October 11, 2013 from Yacoub Yacoub, Bureau of Northern Field Operations to Alex & Merna Mercado, Jersey City re: Permit by rule discharge Ground Water Authorization Approval, 340 Stegman Parkway, Jersey City.
- v. Letter dated October 17, 2013 from Phil Barnes, LSRP, Environ to Robert Byrne, City Clerk re: Bright Horizons Children's Center, LLC, 8 Columbus Drive, Jersey City.
- w. Letter dated October 21, 2013 Hamel Vyas, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service Application.
- x. New Jersey Meadowlands Commission public hearing is scheduled for Tuesday, September 25, 2013 at 10:00 a.m., in the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, NJ.
- y. Letter dated October 17, 2013 from Gianmarco Ferrante, Project Scientist, E2 Project Management, LLC (E2PM) to Robert Byrne, City Clerk re: Response Action Outcome (RAO) Amendment, Hajjar Medical Office Building, 631 Grand Street, Jersey City.
- z. Letter dated October 8, 2013 from Philip Barnes, Senior Manager, Environ to Robert Rossi, Director, Construction, Bright Horizons Children's Centers, LLC re: Response Action Outcome, 8 Columbus Drive, Jersey City.
- z1. Letter dated October 21, 2013 from Marc Helman, Supervisor, Environmental Engineering Unit, The Port Authority of NY&NJ to Robert Byrne, City Clerk re: Land Use Regulation Permit Application.
- z2. Letter dated October 17, 2013 from Charles L. Smith, Director of Government & Regulatory Affairs, Comcast to Mayor & Municipal Council re: Limited Basic Channels Encryption.
- z3. Letter dated October 18, 2013 from Rebecca K. Hollender, TRC to Phil Defalco, Executive VP/COO, Youth Consultation Services, Inc., The Bergen School, 36 Emory Street, Jersey City.
- z4. Letter dated September 15, 2013 from David J. Morris, Tectonic to Robert Byrne, City Clerk re: Response Action Outcome, 520 Palisade Avenue, Jersey City.

**7. OFFICERS COMMUNICATIONS

a. Memo dated October 16, 2013 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, Clerk re: Street Closing Regulation- 13-060 Fourth Street from Jersey Avenue to Coles Street Noon - 7:00 p.m. Saturday, October 26 (rain date Saturday, November 2), 2013 for kids block party.

**8. REPORT OF DIRECTORS

- a. Letter dated October 3, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Stephanie Riggi, of Jersey City, to serve as a member of the Artists Certification Board. Ms. Riggi's term will expire on September 6, 2017.
- b. Letter dated October 3, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Megan Gulick, of Jersey City, to serve as an Alternate Member of the Artists Certification Board. Ms. Gulick's term will expire on September 6, 2017.
- c. Letter dated October 3, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Alvin D. Pettit, of Jersey City, to serve as a member of the Artists Certification Board. Mr. Pettit's term will expire on September 6, 2017.
- d. Letter dated October 3, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Saqib Mushtaq, of Jersey City, to serve as a member of the Board of Assessment, replacing Antonio N. Figueroa, whose term has expired. Mr. Mushtaq's term will expire on January 31, 216.
- e. Letter dated October 3, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Kuldeep Sunny Kumar, of Jersey City, to serve as a Alternate Member of the Construction Board of Appeals, replacing William C. Santomauro, whose term has expired. Mr. Kumar's term will expire on May 13, 2017.
- f. Executive Order #2013-002 dated October 15, 2013 from the Mayor of the City of Jersey City re: Creating a Public Safety Advisory Board.
- g. Letter dated October 3, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Robert Cowan, Chief of Police.
- h. Executive Order #2013-003 dated October 21, 2013 from the Mayor of the City of Jersey City re: Creating an Information Technology Audit Committee.

**9. CLAIMS & ADDENDUM #1

- A. City Clerk
- B. Tax Assessor
- C. Department of Administration
- D. Department of H.E.D.& C
- E. Department of Health & Human Services
- F. Department of Law
- G. Department of Police
- H Department of Fire and Emergency Services
- I. Department of Public Works
- J. Department of Recreation

Council as a whole approve all Claims & Addendum #1; -9-0-.

Grand Total of Claims

\$18,223,300.38

Grand Total of Addendum #1

\$6,892,207.65

Approved-9-0-	a.	Resolution extending the term of Robert Kakoleski as the Acting Business Administrator, of the City of Jersey City.	Res. 13.704
Approved-9-0-	b.	Resolution adopting and ratifying the 2013-2014 Budget of the McGinley Square Special Improvement District of the City of Jersey City.	Res. 13.705
Approved-9-0-	c.	Resolution accepting the assessment roll of the McGinley Square Special Improvement District of the City of Jersey City.	Res. 13.706
Approved-9-0-	d.	Resolution of the Jersey City Municipal Council accepting the Best Practices Inventory Questionnaire.	Res. 13.707
Approved-9-0-	e.	Resolution authorizing insertion of Special Items of Revenues and Appropriations in the CY 2013 Municipal Budget pursuant to N.J.S.A. 40A:487.	Res. 13.708
Approved-9-0-	f.	Resolution requesting approval of the Director of the Division of Local Government Services to establish a Dedicated Trust By Rider for the Uniform Fire Code Penalty Fund N.J.A.C. 5:70-2.12.	Res. 13.709
Approved-9-0-	g.	Resolution requesting approval of the Director of the Division of Local Government Services to establish a Dedicated Trust By Rider for the Uniform Fire Code Penalty Fund N.J.A.C. 5:50-2.12.a.	Res. 13.710
Approved-9-0-	h.	Resolution removing a restriction from the deed of conveyance that affects Block 10901 Lot 106 location: 461-469 Newark Avenue.	Res. 13.711
Approved-9-0-	i.	Resolution canceling the sale of real property not needed for public use, pursuant N.J.S.A. 4-A:12-13, Block 171-1 f/k/a 1924 Lot 8 f/k/a 41 location: 29 Astor Place.	Res. 13.712
Approved-9-0-	j.	Cancellation of 2013 real estate taxes on Block 11207, Lot 22, also known as 306 Fourth Street due to Veterans Exemption.	Res. 13.713
Approved-9-0-	k.	A resolution supplementing the manual of loading zone designations of the City of Jersey City designating a 45 foot loading zone on the south side of Brooks Place, Monday through Friday, 5:00 p.m. to 8:00 p.m.	Res. 13.714

Approved-9-0-	1.	Resolution authorizing the City of Jersey City to enter into a cost reimbursement agreement No. 2013-DT-BLA-203 with the State of New Jersey, Department of Transportation, Division of Local Aid and Economic Development for the McGinley Square Intersection Safety Improvements, Jersey City Project No. 12-008 and Federal Project No. HSP-C00S (527) provided for through the U.S. Department of Transportation.	Res. 13.715
Approved-9-0-	m.	Resolution amending an extraordinary unspecifiable services contract with Epic Management, Inc. in connection with Construction Management for the New Municipal Service Center, Project No. 2009-029 for the Department of Public Works, Division of Architecture.	Res. 13.716
Approved-9-0-	n.	Resolution authorizing a third amendment to an extraordinary unspecifiable services contract with Epic Management, Inc. in connection with Construction Management for the New West District Police Precinct, Project No. 2007-002 for the Department of Public Works, Division of Architecture.	Res. 13.717
Approved-9-0-	o.	Resolution authorizing the renewal of a contract with Amber Air, Inc, for HVAC and Boiler Maintenance contract for various public buildings for the Department of Public Works, Division of Buildings and Street Maintenance.	Res. 13.718
Approved-9-0-	p.	Resolution authorizing the award of contract to Persistent Construction, Inc., for the Construction of Speed Humps, Signage and Pavement Markings Project No. 13.018 for the Department of Public Works, Division of Architecture, Engineering, Traffic and Transportation.	Res. 13.719
Approved-9-0-	q.	Resolution authorizing the award of contract to Duncan Hardware, Inc., for furnishing and delivering hardware supplies for the Department of Public Works, Division of Buildings and Street Maintenance.	Res. 13.720
Approved-9-0-	r.	Resolution authorizing the approval of Urban Enterprise Zone funds to provide funding for a project by the Jersey City Employment and Training Corporation to provide counseling and employment training for individuals who have been released from correctional settings.	Res. 13.721
Approved-9-0-	S.	Resolution to apply for and accept CHOICE Subsidy for the Grand Parc.	Res. 13.722

Approved-9-0-	t.	Resolution authorizing the Jersey City Police Department to apply and accept funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) enforcing the Underage Drinking Laws State Block Grant Program.	Res. 13.723
Approved-9-0-	u.	Resolution authorizing the City of Jersey City to apply for funds from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety on behalf of the Police Department to combat Driving While Intoxicated.	Res. 13.724
Approved-9-0-	v.	Resolution authorizing the acceptance of grants funds from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for the Jersey City Comprehensive Traffic Safety Program (2014).	Res. 13.725
Approved-9-0-	w.	Resolution authorizing the Jersey City Office of Emergency Management & Homeland Security to accept a grant from the United States Department of Homeland Security (DHS) and the New Jersey Office of Homeland Security & Preparedness (OHSP) thru the Urban Area Security Initiative (UASI) Grant Program.	Res. 13.726
Approved-9-0-	х.	Resolution to apply and accept funds from the New York/New Jersey High Intensity Drug Trafficking Area (HIDTA) Task Force for funding the Jersey City Department of Recreation Hoops on the Hudson Initiative.	Res. 13.727
Approved-9-0-	у.	Resolution authorizing the City of Jersey City to enter into an agreement for indemnification and authorizing the City Risk Manager to issue a letter of insurance to the following listed agencies.	Res. 13.728
Approved-9-0-	Z.	Resolution authorizing a professional services agreement with the law firm of O'Donnell McCord to serve as special counsel to represent the City of Jersey City in tax appeals.	Res. 13.729

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 23, 2013

NONE

A motion to adjourn at 8:22 p.m. was made by Councilperson Ramchal and seconded by Councilperson Coleman and Approved-9-0-.

Rolando R. Lavarro, Jr., Council President

Renee Jackson, City Clerk

Reviewed and found to be correct as to text and content.

Robert Byrne, City Clerk

Note: The meeting was stenographically and digitally recorded.